



03-30-05

JCO Rec'd PCT/PTO 29 MAR 2005 #3

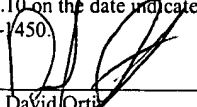
UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: KITTAKA et al. Examiner: Unknown
Serial: 10/519,817 Group Art Unit: Unknown
Filed: December 29, 2004 Docket: 10873.1603USWO
Title: PHOTONIC CRYSTAL OPTICAL WAVEGUIDE

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 495870456 US
Date of Deposit: March 29, 2005

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Amendment, Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450.

By: 
Name: David Ortiz

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

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PATENT TRADEMARK OFFICE

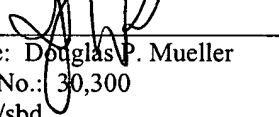
Commissioner:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Information Disclosure Statement, Form 1449, 12 References
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

Merchant & Gould P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
612.332.5300

By: 
Name: Douglas P. Mueller
Reg. No.: 30,300
DPM/sbd

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S/N 10/519,817

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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By: 

Name: David Ortiz

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Commissioner:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application, which is not an application under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

A copy of any foreign patent document or "Other Document" listed on the Form 1449 is enclosed, in accordance with 37 C.F.R. § 1.98(a)(2). Because this application was filed after June 30, 2003, copies of the U.S. Patents and U.S. patent publications listed on the enclosed Form 1449 are not provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the references are not "prior art." Moreover, Applicants do not represent that a

reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

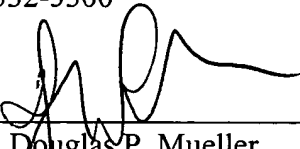


Respectfully submitted,

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Minneapolis, Minnesota 55402-0903
(612) 332-5300

Dated: March 29, 2005

By: _____


Douglas P. Mueller
Reg. No. 30,300

DPM/sbd

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 10873.1603USWO	Application Number: 10/519,817
	Applicant: KITAKA et al.	
	Filing Date: December 29, 2004	Group Art Unit: Unknown

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,802,236	09/1998	DiGiovanni et al.			
	6,260,388	07/2001	Borrelli et al.			
	2002/0027655	03/2002	Kittaka et al.			
	2002/0088929	07/2002	Kittaka et al.			
	2002/0122613	09/2002	Kittaka et al.			
	2002/0197042	12/2002	Kittaka et al.			
	6,522,448	02/2003	Baba et al.			
	2003/0184845	10/2003	Kittaka et al.			
	6,825,963	11/2004	Kittaka et al.			

FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	99/64904	12/1999	WIPO				
	2002-82221	03/2002	Japan			Abstract	
	2002-182026	06/2002	Japan			Abstract	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
		"BISHOKOGAKU HANDBOOK" (Microoptics Handbook), Asakura Shoten (1995); 224
		Joannopoulos et al., "Photonic Crystals", Princeton University Press (1995)
		Kerbage et al., "Air-silica microstructure fiber based variable optical attenuator device", Optical Fiber Communication (2002); Conference and Exhibit Technical Digest ThK4: 468-469
		Kittaka et al., "Wavelength dispersion of 1D-photonic crystals", 49th Extended Abstracts, Japan Society of Applied Physics and Related societies (March, 2002); no. 3: 1035 (28p-ZF-14)
		"O Plus E", (2001); vol. 23, no. 9: 1061-1066
		Ohsaki et al., "A consideration on anti-reflection at the input-end of a 2D photonic crystal", 47th Extended Abstracts, Japan Society of Applied Physics and Related societies (March, 2000); no. 3: 1056 (28p-P5-3)

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 10873.1603USWO	Application Number: 10/519,817
	Applicant: KITAKA et al.	
	Filing Date: December 29, 2004	Group Art Unit: Unknown

		Plihal et al., "Photonic band structure of two-dimensional systems: The triangular lattice", Physical Review (October, 1991); vol. B44, no. 16: 8565-8571
		Sakoda, Kazuaki, "Optical Properties of Photonic Crystals", Springer-Verlag (2001)
		Shirane et al., "Facet phase dependence for transmission spectra in photonic crystals", 49th Extended Abstracts, Japan Society of Applied Physics and Related societies (March, 2002); no. 3: 1036 (28p-ZF-16)



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